

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

NICOLE BROWN, *et al.*,  
Plaintiffs,  
v.  
CALIFORNIA DEPARTMENT OF  
CORRECTIONS, *et al.*,  
Defendants.

No. 1:20-cv-00466-NONE-BAM (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS TO DISMISS  
ACTION, WITHOUT PREJUDICE, FOR  
FAILURE TO OBEY A COURT ORDER  
AND FAILURE TO PROSECUTE

(Doc. No. 13)

Plaintiff Nicole Brown, a non-prisoner, and plaintiff Freddie L. Smith, a state prisoner, are proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On March 16, 2021, the assigned magistrate judge issued findings and recommendations recommending dismissal of this action, without prejudice, for failure to obey a court order and failure to prosecute. (Doc. No. 13.) Those findings and recommendations were served on plaintiffs and contained notice that any objections thereto were to be filed within fourteen days after service. (*Id.* at 3–4.) No objections have been filed, and the deadline to do so has now passed.

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1 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this court has conducted a  
2 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the  
3 magistrate judge's findings and recommendations are supported by the record and by proper  
4 analysis.

5 Accordingly,

- 6 1. The findings and recommendations issued on March 16, 2021, (Doc. No. 13), are  
7 adopted in full;
- 8 2. This action is dismissed, without prejudice, due to failure to obey a court order and  
9 failure to prosecute; and
- 10 3. The Clerk of the Court is directed to assign a district judge to this matter for the  
11 purposes of closure and then to close this case.

12 IT IS SO ORDERED.

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14 Dated: **April 19, 2021**

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17 UNITED STATES DISTRICT JUDGE  
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